

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Julian Phillips	Team: Squad #05	CCRB Case #: 202002550	<input checked="" type="checkbox"/> Force <input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> Discourt. <input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> U.S. <input type="checkbox"/> Injury
Incident Date(s) Saturday, 04/04/2020 6:49 PM, Monday, 01/25/2021 1:22 PM	Location of Incident: § 87(2)(b) 100 Church Street		18 Mo. SOL 5/4/2022	Precinct: 30	
Date/Time CV Reported Sat, 04/04/2020 11:15 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sat, 04/04/2020 11:15 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Chardy Alberto	21159	953624	030 PCT
2. POM Michael Duchatellier	18345	936525	030 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Michael Duchatellier	Discourtesy: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Michael Duchatellier spoke discourteously to individuals.	§ 87(2)(g)
B.POM Chardy Alberto	Discourtesy: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto spoke discourteously to an individual.	§ 87(2)(g)
C.POM Chardy Alberto	Force: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto used physical force against an individual.	§ 87(2)(g)
D.POM Chardy Alberto	Force: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto used a chokehold against an individual.	§ 87(2)(g)
E.POM Chardy Alberto	Discourtesy: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto spoke discourteously to § 87(2)(b)	§ 87(2)(g)
F.POM Chardy Alberto	Force: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto used pepper spray against § 87(2)(b)	§ 87(2)(g)
G.POM Chardy Alberto	Force: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto used pepper spray against an individual.	§ 87(2)(g)
H.POM Michael Duchatellier	Discourtesy: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Michael Duchatellier spoke discourteously to individuals.	§ 87(2)(g)
I.POM Chardy Alberto	Untruthful Stmt.: On January 25, 2021, at 100 Church Street in Manhattan, Police Officer Chardy Alberto provided a misleading official statement to the CCRB.	§ 87(2)(g)

Case Summary

On April 4, 2020, § 87(2)(b) filed this complaint on the CCRB website. § 87(2)(b) prefers to use the first name '§ 87(2)(b)

On April 4, 2020, at approximately 6:49 p.m., Police Officers Chardy Alberto and Michael Duchatellier, both of the 30th Precinct, responded to a 911 call regarding a group of teenagers loitering at § 87(2)(b) in Manhattan. The investigation was unable to identify any of these teenagers but was able to determine that one of them had the surname § 87(2)(b) (henceforth referred to as § 87(2)(b)). § 87(2)(b) was apparently not related to § 87(2)(b) who claimed not to know any of the other civilians involved in the incident. PO Duchatellier said to the teenagers, "We come here every fucking day... do not fucking... don't stand in front of the building," and PO Alberto said to § 87(2)(b) "You can't fucking stay here" (**Allegations A-B: Discourtesy**, § 87(2)(g)). PO Alberto also said, "You all deaf? Stupid? What is it? § 87(2)(b) you can't fucking stay here" (**Allegation B**). PO Alberto subsequently also said to § 87(2)(b) "Don't you be fucking walking behind me" (**Allegation B**). PO Alberto repeatedly shoved § 87(2)(b) (**Allegation C: Force**, § 87(2)(g)) and allegedly put § 87(2)(b) in a chokehold (**Allegation D: Force**, § 87(2)(g)). § 87(2)(b) approached the scene as a bystander. PO Alberto deployed pepper spray, striking § 87(2)(b) and an unknown second individual (**Allegations E-F: Force**, § 87(2)(g)) and said to § 87(2)(b) "Back the fuck up" (**Allegation G: Discourtesy**, § 87(2)(g)). PO Duchatellier yelled to the teenagers, "Stop fucking around! Do not stand in front of the building! Fucking corona's out here!" (**Allegation H: Discourtesy**, § 87(2)(g)). On January 25, 2021, at approximately 1:22 p.m., at 100 Church Street in Manhattan, PO Alberto provided a misleading official statement during his CCRB interview (**Allegation I: Untruthful Statement**, § 87(2)(g)).

PO Duchatellier has since been reassigned to the Queens Court Section.

The investigation obtained BWC footage of this incident from both officers (**Board Review 01-02, summarized at Board Review 17-18**). All references to video evidence below refer to the time-stamps in the video player, and not to any on-screen clock embedded in the footage itself.

This case was reassigned from Inv. Faria Tasim to SI Phillips on September 12, 2020, after Inv. Tasnim's departure from the CCRB.

Findings and Recommendations

Allegation (A) Discourtesy: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Michael Duchatellier spoke discourteously to individuals.

Allegation (B) Discourtesy: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto spoke discourteously to an individual.

§ 87(2)(b) testified (**Board Review 08**) that she observed PO Alberto and PO Duchatellier directing the teenagers to leave the scene, although she was some distance away and could not hear any statements that they made. § 87(2)(a)

The investigation was unable to identify or obtain statements from any of the other civilians present for this incident.

BWC footage recorded by PO Alberto (**Board Review 01**) and PO Duchatellier (**Board Review 02**) shows that, when the officers arrived on the scene, a group of approximately ten teenagers, including § 87(2)(b) was gathered on the steps and sidewalk in front of § 87(2)(b). PO Alberto ordered the teenagers to leave the scene, and the majority moved down the block, although

§ 87(2)(b) and several other teenagers remained on the sidewalk and street in front of the building. Approximately one minute after first ordering the teenagers to disperse, PO Alberto and PO Duchatellier approached § 87(2)(b) who stated that he was waiting for his electronic speaker to finish charging. PO Duchatellier said, “We come here every fucking day... do not fucking...don’t stand in front of the building.” PO Alberto also told the group, “You all deaf? Stupid? What is it?” PO Alberto told § 87(2)(b) “You can’t fucking stay here. Move it.” Subsequently, when PO Alberto again interacted with § 87(2)(b) PO Alberto said to § 87(2)(b) “Don’t you be fucking walking behind me.”

PO Alberto testified (**Board Review 03**) that § 87(2)(b) had a chronic issue with groups of males loitering in the lobby and at the front of the building. There was a pattern of such males engaging in infractions such as playing loud music, smoking, drinking, and fighting. Additionally, there had been shots fired in and in front of the building. PO Alberto had previously responded to the building and directed groups to disperse. On the date of incident, there were multiple 911 calls complaining of large groups at the address, including the call that prompted the officers to respond. PO Alberto did not recall whether this 911 caller specified that the group of people at the location was committing any specific infractions. PO Alberto testified that, upon arriving at the scene, he saw that the group of teenagers was not committing any infractions. He recognized several of the teenagers as individuals who habitually hung out at the building. He did not know whether any of the teenagers resided in the building. PO Alberto decided to disperse the group, solely because of the 911 call complaining about them. PO Alberto ordered the teenagers to leave, and some of them complied, but others remained in front of the building or yelled profanity. PO Alberto did not recall the specific language that he used while directing the teenagers to disperse, but he acknowledged using profanity, and stated that this was because he was matching the profane language that the teenagers were using.

PO Duchatellier similarly testified (**Board Review 04**) that there was a pattern of 911 calls complaining about teenagers gathering in the lobby and in front of § 87(2)(b) and engaging in drinking, smoking, acting rowdy, and fighting. PO Duchatellier had previously responded to such 911 calls and knew that certain teenagers were regularly at the location. On the date of incident, there were multiple 911 calls complaining of issues there, including the call that prompted the officers to respond, which reported a disorderly group drinking and smoking marijuana. PO Duchatellier similarly confirmed that he did not see any of the teenagers committing any infractions when he arrived on scene. PO Duchatellier recognized § 87(2)(b) to have a criminal history, but he did not know whether § 87(2)(b) resided at the building. PO Duchatellier decided to disperse the group solely because of the 911 call complaining about them. PO Duchatellier ordered the teenagers to leave, and some of them complied, but others remained or made insulting remarks about the officers. PO Duchatellier said he did not recall whether these remarks involved profanity. PO Duchatellier admitted using profanity while directing the teenagers to disperse. He admitted that he did not have any reason for using profanity.

NYPD Patrol Guide Procedure 203-09 (**Board Review 05**) states that officers must “interact with members of the public in a professional manner.” Language which would ordinarily be inappropriate when dealing with civilians may be excused in the course of a violent confrontation. DCT Case 2017-17276 (**Board Review 06**). Officers may use such language when a situation becomes so chaotic that their immediate need to maintain order overrides their duty to behave courteously and professionally. DCT Case 2017-17005 (**Board Review 07**).

The officers themselves confirmed that § 87(2)(b) and the other teenagers were simply gathered in front of the building when the officers ordered them to disperse. Although some of the teenagers may not have immediately complied with the order, and although some may have used profanity,

the situation clearly did not constitute a violent confrontation or chaotic scene § 87(2)(g)

§ 87(2)(g)

Allegation (C) Force: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto used physical force against an individual.

Allegation (D) Force: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto used a chokehold against an individual.

BWC footage shows that, after directing § 87(2)(b) and the other teenagers to disperse, PO Alberto and PO Duchatellier walked into the foyer of the building. At approximately 03:30 in PO Alberto's footage, PO Alberto was stepping through the doorway leading from the foyer into the building lobby, while PO Duchatellier was standing in the doorway leading from the sidewalk into the foyer. § 87(2)(b) stepped past PO Duchatellier and into the foyer, approaching behind PO Alberto. PO Alberto turned, asked § 87(2)(b) why he was behind him, and shoved § 87(2)(b) backwards. § 87(2)(b) responded that he was going inside to retrieve his speaker. PO Alberto shoved § 87(2)(b) a second time, causing § 87(2)(b) to move backwards and strike the wall of the foyer. PO Alberto continued to berate § 87(2)(b) for walking behind him, and he grasped and shoved § 87(2)(b) two more times. At no point did PO Alberto put § 87(2)(b) in a chokehold or otherwise make contact with his neck.

§ 87(2)(b) testified (**Board Review 08**) that she was standing across the street when § 87(2)(b) and a second teenager entered the building behind PO Alberto and PO Duchatellier. Watching through the glass door of the building, § 87(2)(b) saw that PO Alberto had wrapped two hands around § 87(2)(b) neck and lifted him off the ground, prompting § 87(2)(b) to wave his hands in the air. § 87(2)(a)

PO Alberto testified that he knew § 87(2)(b) to be a gang member and to have a criminal history involving multiple violent gang-related attacks and robberies during which § 87(2)(b) had carried a weapon. PO Alberto did not provide any further information about § 87(2)(b) history. During this incident, PO Alberto did not know § 87(2)(b) to have been intoxicated or to have been carrying a weapon. While inside the foyer, PO Alberto observed § 87(2)(b) enter and approach him at a speed that PO Alberto characterized as "almost running." PO Alberto assessed that § 87(2)(b) action constituted disorderly conduct in that § 87(2)(b) had failed to disperse and was reentering the building. PO Alberto grasped hold of § 87(2)(b) coat in order to prevent § 87(2)(b) from entering the lobby. PO Alberto initially denied shoving § 87(2)(b) although he stated that he may have held § 87(2)(b) at arm's length to reduce the risk of COVID-19 transmission. Upon being shown video footage of the incident, however, PO Alberto acknowledged that he was visibly "pushing § 87(2)(b) away."

PO Duchatellier testified that he knew § 87(2)(b) to have a criminal history involving robberies and assaults, but he did not know whether these incidents involved § 87(2)(b) being armed. During this incident, PO Duchatellier observed § 87(2)(b) run into the foyer and approach PO Alberto, although PO Duchatellier did not assess that this constituted a crime. PO Alberto began yelling at § 87(2)(b) and used his arm to press § 87(2)(b) to stand at arm's length an unknown number of times.

The investigation was unable to obtain a full name or contact information for § 87(2)(b) and therefore could not obtain a statement from him about the incident. The limited information obtained, however, permitted the investigation to search the NYPD's Booking, Arraignment, and Disposition System and locate the record of an individual who corresponded to the known information about § 87(2)(b) (Board Review 09). § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Based upon the BWC footage, the investigation determined that PO Alberto did not use a chokehold against § 87(2)(b) as § 87(2)(b) alleged.

NYPD Patrol Guide Procedure 221-01 (Board Review 10) states that officers may use physical force when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody or to prevent escape from custody. All force must be reasonable under the circumstances, and the reasonableness of force is assessed, in part, by the nature and severity of the crime/circumstances, the actions taken by the subject, and the size, age, and condition of the subject.

PO Alberto was not attempting to place § 87(2)(b) into custody, and § 87(2)(b) actions in entering the building behind PO Alberto § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (E) Discourtesy: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto spoke discourteously to § 87(2)(b)

Allegation (F) Force: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto used pepper spray against § 87(2)(b)

Allegation (G) Force: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Chardy Alberto used pepper spray against an individual.

§ 87(2)(b) testified that she walked across the street, opened the front door, and asked what was going on. PO Alberto immediately deployed his pepper spray, striking her in the face. PO Alberto said, "Back the fuck up." § 87(2)(a)

§ 87(2)(b)

The BWC footage was consistent with § 87(2)(b) account. It shows that, while PO Alberto was shoving § 87(2)(b) § 87(2)(b) approached the building entrance. At approximately 03:50 in PO Alberto's footage and 00:05 in PO Duchatellier's footage, § 87(2)(b) opened the door to the foyer and began to step inside as § 87(2)(b) stepped out through the open door. An unidentified teenager was directly behind § 87(2)(b) on the exterior stairs. PO Alberto said, "Back up," and immediately

deployed pepper spray, apparently striking § 87(2)(b) and the unidentified teenager, who both stepped away from the door. As they were backing away, PO Alberto said, “Back the fuck up.”

PO Alberto testified that he observed § 87(2)(b) and the unidentified teenager approaching the front door at a “fast” pace, which he described as faster than a normal speed of walking but slower than sprinting. In response, PO Alberto removed his pepper spray from his belt. PO Alberto did not have an opportunity to look closely at § 87(2)(b) and the teenager and could not identify or describe them in any manner. PO Alberto feared for the safety of himself and PO Duchatellier because he and PO Duchatellier were outnumbered by the civilians, because § 87(2)(b) was an address with a pattern of violent crimes and gang activity, because the officers were with § 87(2)(b) who had a history of violence, because there were known gang members on scene, because he had ordered all of the individuals on scene not to enter the building several times but § 87(2)(b) and the unidentified teenager were nonetheless entering the building, and because he did not know the intentions of § 87(2)(b) and the unidentified teenager. PO Alberto testified that he repeatedly ordered § 87(2)(b) and the unidentified teenager to back up, but they did not comply. PO Alberto did not recall how much time elapsed between when he ordered § 87(2)(b) and the unidentified teenager to back up and when he subsequently deployed the pepper spray, but he assessed that they had sufficient time to comply with his command. PO Alberto deployed a single burst of pepper spray, prompting § 87(2)(b) and the unidentified teenager to move away from the building entrance. PO Alberto did not specifically recall using profanity at this time, but he testified that he may have said, “Back the fuck up.” He testified that, if he did use profanity, he did so due to adrenaline and for no other reason.

PO Alberto prepared a TRI Report documenting this incident (**Board Review 11**), which is consistent with his testimony that no force was used against him and that he deployed pepper spray for the reason of “defense of self.”

PO Duchatellier testified that he observed § 87(2)(b) and the unidentified teenager running towards the front entrance of the building. § 87(2)(b) was yelling, although PO Duchatellier could not recall what she was saying. PO Duchatellier similarly recounted that PO Alberto deployed the pepper spray after he ordered § 87(2)(b) and the unidentified teenager to back up.

Absent video footage from outside the building, the investigation could not conclusively establish whether § 87(2)(b) and the unidentified teenager approached the building at a normal or at a rapid pace, or whether they yelled as they approached the building. The BWC footage, however, strongly suggests that they walked up to the building, and that § 87(2)(b) simply asked what was going on rather than yelling at the officers. The BWC footage conclusively establishes that § 87(2)(b) and the unidentified teenager did not have any opportunity to comply with PO Alberto’s verbal order to back up, as PO Alberto deployed the pepper spray at virtually the same moment that he first ordered the civilians to back up.

NYPD Patrol Guide Procedure 221-07 (Board Review 12) states that pepper spray may be used to gain or maintain control of persons who are exhibiting active aggression, defined as a threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent. Officers should not deploy pepper spray in situations that do not require the use of physical force.

NYPD Patrol Guide Procedure 203-09 (Board Review 05) states that officers must “interact with members of the public in a professional manner.” Language which would ordinarily be inappropriate when dealing with civilians may be excused in the course of a violent confrontation. DCT Case 2017-17276 (Board Review 06). Officers may use such language when a situation

becomes so chaotic that their immediate need to maintain order overrides their duty to behave courteously and professionally. DCT Case 2017-17005 (Board Review 07).

As cited above, the Patrol Guide directs officers to deploy pepper spray against persons who are exhibiting active aggression, and when it appears that an assault or injury to any person is imminent. The investigation determined that § 87(2)(b) and the unidentified teenager were not exhibiting active aggression, § 87(2)(g)

§ 87(2)(b) simply opened the door to the building and asked what was going on. PO Alberto claimed that he feared for his safety because he knew § 87(2)(b) to have a violent history; however, PO Alberto did not deploy the pepper spray against § 87(2)(b). PO Alberto further claimed that he feared for his safety because the civilians on scene outnumbered the officers and some of individuals on scene were gang members and had failed to comply with his orders to disperse; however, PO Alberto testified that he did not know whom he pepper sprayed or whether he had previously ordered them to disperse. PO Alberto finally claimed that he feared for his safety because there was a history of violent crimes in and around the building; § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (H) Discourtesy: On April 4, 2020, at § 87(2)(b) in Manhattan, Police Officer Michael Duchatellier spoke discourteously to individuals.

The BWC footage shows that, after PO Alberto deployed the pepper spray, PO Alberto and PO Duchatellier exited to the sidewalk. Teenagers were gathered on the sidewalk down the block from the front entrance of the building. After approximately one minute, beginning at approximately 01:50 in PO Duchatellier's video, PO Duchatellier yelled to the teenagers, "Stop fucking around. Do not stand in front of the building. Fucking corona's out here, and you people out here congregating. People are dying. Go home."

PO Duchatellier's testimony to the CCRB was consistent with the BWC footage. PO Duchatellier specifically acknowledged using the profane statements audible in the video, and he stated that he had done so because he was using "everyday language" and had no particular reason to have used the word "fuck."

NYPD Patrol Guide Procedure 203-09 (Board Review 05) states that officers must "interact with members of the public in a professional manner." Language which would ordinarily be inappropriate when dealing with civilians may be excused in the course of a violent confrontation. DCT Case 2017-17276 (Board Review 06). Officers may use such language when a situation becomes so chaotic that their immediate need to maintain order overrides their duty to behave courteously and professionally. DCT Case 2017-17005 (Board Review 07).

The investigation determined that PO Duchatellier's interaction with the teenagers did not constitute a violent confrontation or a chaotic situation with an immediate need to maintain order,

§ 87(2)(g)

Allegation (I) Untruthful Statement: On January 25, 2021, at 100 Church Street in Manhattan, Police Officer Chardv Alberto provided a misleading official statement to the CCRB.

There is evidence that PO Alberto provided a misleading official statement to the CCRB.

The following verbatim exchange occurred from 38:20 through 40:09 in the interview of PO Alberto:

CCRB Investigator: “In addition to grabbing his coat, did you have any physical interaction with him before you ended up deploying the pepper spray?”

PO Alberto: “No.”

CCRB Investigator: “Did you ever shove him?”

PO Alberto: “Shove him by grabbing him by the coat? It’s a very narrow foyer, the door’s here, the wall’s here, and I’m here, so he tried to go past me. Was I shoving him? No. Both walls are next to him, the glass wall and the other wall and then me. Was I shoving him to the wall? No.”

CCRB Investigator: “Okay, so you weren’t shoving him to the wall. When you grabbed his coat, did you ever push him back or stretch out your arm to push him back to arm’s length, anything like that? Or you just grabbed the coat to stop him so you could speak to him?”

PO Alberto: “For my safety, I’m not going to have anyone on top of me. Like you said, we were in the middle of the pandemic of COVID. If I recall, he was not wearing a mask, so I’m not going to have him on top of my face.”

CCRB Investigator: “Did you do anything to keep him from being on top of your face?”

PO Alberto: “Maybe just to keep a slight distance, to keep him arm’s length.”

CCRB Investigator: “Okay, so you might have done that tactically, but you don’t specifically remember doing it.”

PO Alberto: “Tactically I’m not going to have anyone directly in my face.”

CCRB Investigator: “Okay, but you didn’t shove him, didn’t shove him against the wall, correct?”

PO Alberto: “No.”

After reviewing BWC footage which contradicted the above testimony, however, PO Alberto altered his account of this portion of the incident. The following verbatim exchange occurred from 1:31:45 through 1:32:15 and from 1:33:15 through 1:33:25 in the interview of PO Alberto:

CCRB Investigator: “It looked like you reached out your hand, made physical contact with him, and pushed him back and his hand struck the wall. Did you shove him back at this portion of the video?”

PO Alberto: “I’m trying to push him back from me.”

CCRB Investigator: “Earlier you testified that you didn’t push him back, but now that you’re seeing this, you’re able to say that you did push him back to separate him from you?”

PO Alberto: “I’m separating him from me, not pushing him against anything”

[...]

CCRB Investigator: “Officer, you’ve just seen this video, did you shove him back at that portion of the video?”

PO Alberto: “Shoved, no. Pushing away from me, yes.”

NYPD Patrol Guide Procedure 203-08 (Board Review 13) states that officers are prohibited from intentionally making a misleading official statement. A misleading statement is one which is “intended to misdirect the fact finder, and materially alter the narrative by: (c) Altering and/or changing a member’s prior statement or account when a member of the service is confronted with independent evidence indicating that an event did not occur as initially described.”

PO Alberto initially denied having any physical interactions with § 87(2)(b) besides grasping him and potentially holding him at arm's length. § 87(2)(g)

§ 87(2)(g). It was not until being shown video footage of himself shoving § 87(2)(b) that PO Alberto altered his testimony and admitted to pushing § 87(2)(b) backward.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) (Board Review 14) or § 87(2)(b) (Board Review 15) has been party.
- PO Alberto has been a member of service for eight years and has been a subject in four additional CCRB complaints and seven allegations, none of which was substantiated. § 87(2)(g)
- PO Duchatellier has been a member of service for 16 years and has been a subject in six additional CCRB cases and 10 allegations, none of which was substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- § 87(2)(b) filed a Notice of Claim with the City of New York claiming pain and suffering, and emotional injuries and seeking \$750,000 as redress (Board Review 16). § 87(2)(a)

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 5

Investigator:	<u>Julian Phillips</u>	<u>SI Julian Phillips</u>	<u>July 26, 2021</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Daniel Giansante</u>	<u>IM Daniel Giansante</u>	<u>July 27, 2021</u>
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date